

U.S. Serial No.: 10/741,495
Reply to Office Action of: November 1, 2005

Remarks

Claims 1-11 are pending in this application. Claim 7 is objected to and Claims 1-5 and 7-10 stand rejected. Claims 6 and 11 were previously cancelled. Claims 1, 4, 5 and 7 are hereby amended and claim 3 is hereby cancelled.

Claim Objections

The Examiner has objected to claim 7 because of an informality: Claim 7 has been amended to depend from claim 5 to address the objection.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-5 and 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tajima, et al., (U.S. Patent No. 6,604,266) in view of Matsuo et al. (U.S. Patent No. 6,201,458). The Examiner asserts that Tajima discloses in Figure 8 an oscillator circuit comprising the elements of claim 1 except for a stripline resonator having a looped structure. The Examiner concludes that it is considered to be well known to those skilled in the art that resonators may be formed in a loop configuration as evidenced by Matsuo in Figure 1.

Claim 1 has been amended to recite the elements of canceled claim 3, specifically, that a capacitor is connected to the strip line resonator and has a structure which can be machined to vary its capacitance in order to trim the resonant characteristics of the oscillator circuit. Although the Examiner contends, in conclusory fashion, that the Tajima reference teaches the element of now canceled claim 3, the Applicant respectfully contends that the Examiner has mischaracterized the reference and/or misinterpreted the claim. Although Tajima teaches a capacitor C, there is no teaching nor suggestion to trim that capacitor. Instead, Tajima teaches

U.S. Serial No.: 10/741,495

Reply to Office Action of: November 1, 2005

masses of deposits 21 and 22 being formed of an insulating resin and being adhered on two front surfaces of resonating parts 11, 12 on piezoelectric substrate 1 as discussed in column 8, lines 17-20. The masses of deposits 21, 22 are reduced by machining indented portions so that the loads applied to the resonating parts 11, 12 by the deposits 21, 22 are adjusted. Nowhere does Tajima suggest the machining of a capacitor to adjust its capacitance to affect the resonant characteristics of the oscillator circuit. Applicant respectfully contends that the Examiner has mischaracterized Tajima to suggest that machining a mass formed of an insulating resin is the same as trimming a capacitor by means of high-energy radiation to vary its capacitance. Recitation of this element, formerly in claim 3, now in claim 1, is neither taught nor suggested by Tajima. Reconsideration and withdrawal of the rejection of claims 1-5 and 7 is therefore respectfully requested.

Furthermore, claim 4 recites further detail of the capacitor, specifically, that the capacitor comprises a monolithic base member of a dielectric material and at least one electrode arranged on an externally accessible surface of the base member, such that the capacitance may be reduced by removing at least part of the electrode. Applicant contends that Tajima neither teaches nor suggests removing a part of an electrode of a capacitor with high-energy radiation to reduce the capacitance thereof. Reconsideration is respectfully requested.

Likewise, claim 8 is patently distinct from Tajima, since Tajima does not teach nor suggest the steps of comparing the determined resonant characteristics with predetermined nominal characteristics; generating a control signal as a function of the result of the comparison and output of the control signal to a machining device; and machining the load impedance as a function of the control signal. In contradistinction, Tajima only teaches machining of masses of

U.S. Serial No.: 10/741,495
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deposits which are formed over a piezoelectric substrate as discussed above. While the Examiner has rejected claim 8 in conclusory fashion, she has not pointed to any suggestion in the reference for a teaching of these elements. The Examiner has therefore not made a prima facie showing to support an obviousness rejection. Claim 8 is therefore patentably distinct from the Tajima et al. reference. Reconsideration and withdrawal of the rejection of claims 8-10 is therefore respectfully requested.

Amendments to claims 4, 5 and 7 were necessitated by the amendment to claim 1 and cancellation of claim 3.

Conclusion

For all of the foregoing reasons and in view of the foregoing amendments, Applicants respectfully contend that the application is now in condition for allowance. Accordingly, Applicants respectfully request entry of the foregoing amendments, reconsideration and allowance of the claims, and issuance of a Patent for the subject invention. Please charge any additional requisite fees relating to this amendment and response to Deposit Account No. 501581.

Respectfully submitted,

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